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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ORIGINAL
FILE

In re Applications of)	MM DOCKET NO. 92-111
DEAS COMMUNICATIONS, INC.)	File No. BPH-910208MB
HEALDSBURG BROADCASTING, INC.)	File No. BPH-910211MB
HEALDSBURG EMPIRE CORPORATION)	File No. BPH-910212MM
For Construction Permit for a)	
New FM Station on Channel 240A)	
in Healdsburg, California)	

To: Administrative Law Judge
Edward J. Kuhlmann

OPPOSITION TO "PETITION FOR LEAVE
TO FILE CORRECTED AMENDMENT"

Deas Communications, Inc. ("Deas"), by its attorneys,
hereby opposes the "Petition for Leave to File Corrected
Amendment," filed July 16, 1992 by Healdsburg Broadcasting,
Inc. ("HBI").^{1 2}

¹ HBI simultaneously filed a Response to Order to Show Cause. See Memorandum Opinion and Order, FCC 92M-782, released July 16, 1992, at 2-3.

² On July 20, the Mass Media Bureau filed a Consolidated Opposition to HBI's two pleadings. Deas supports the Bureau's arguments. The purpose of this Opposition is to address certain points not covered in the Consolidated Opposition and provide precedential support for denial of the Petition and rejection of the "corrected amendment." As is discussed below, in apposite circumstances the Commission recently affirmed the dismissal of an application after designation due to predesignation engineering defects and the applicant's inability in a postdesignation amendment to demonstrate a lack of foreseeability. Pueblo Radio Broadcasting Service, 5 FCC Rcd 6278 (1990). HBI does not contend that its "corrected amendment" was necessitated by events it could not reasonably have foreseen. Section 73.3522(b)(1).

No. of Copies rec'd 0+6
List A B C D E

In support whereof, the following is shown.

1. First, HBI concedes sub silentio that its rejected June 19, 1992 amendment,³ contravenes Section 73.316(b)(2) of the Commission's Rules, could not be accepted and violates the absolute mandate in the Hearing Designation Order that "[i]f the amendment . . . for any other reason is unacceptable for filing, the amendment along with HBI's original application will be dismissed." HDO, para. 9.⁴ It is incredible that, in the face of such a "do or die" admonition, HBI could have tendered an amendment which on its face violates an FM directional antenna rule.⁵

2. Second, the new "corrected amendment" is HBI's fourth engineering submission in this young proceeding. The first three (HBI's original application, the June 19, 1992 amendment, and an intervening, unacceptable amendment filed September 25, 1991; see HDO at para. 9 and n. 5) were admittedly defective. Indeed, but for an ambiguity in one of

³ The amendment was denied in the aforementioned July 16 Memorandum Opinion and Order. See n. 1, above.

⁴ HBI's characterization of the latest defect as "trivial" or "esoteric" is startling. The fact is that the error results in the violation of an FCC rule, hardly a trivial matter. Applications which offend the rules and do not include waiver requests are not granted. Hundreds of applicants in scores of cases are able to submit applications which do not violate the rules. HBI has failed to do so on three successive occasions.

⁵ None of the apologists filing statements supporting HBI's resurrection suggest that the rule was unknown to them, only that they neglected to make sure it was being complied with. Their neglect is not the Commission's fault.

the rules, see HDO at para. 9, HBI would not have been allowed into the case. It has already been accorded extreme, unprecedented fairness.

3. Third, the aforementioned September 1991 amendment, attached hereto, contains the same inaccurate radiation pattern showing as that which later invalidated the June 1992 amendment. See attachment at paginated p. 9. That error was uncorrected for ten months. None of HBI's various elite corps of engineers and manufacturing consultants, on whom it now collectively pins the blame, bothered even to check out the accuracy of the directional antenna pattern which HBI voluntarily chose to proffer. The inaccuracy was clearly evident to any trained engineer; the Hearing Branch's engineer was able to spot it immediately upon his review.

4. Fourth, and perhaps most significantly, HBI's Petition cannot be granted because it violates yet another FCC rule -- in this instance Rule 73.3522(b) -- by not including the requisite complete showing of "good cause" for acceptance of a postdesignation amendment. This omission was not unintentional; see Petition at 4-5 and HBI's selective arguments.⁶ This latest rule violation is fatal to HBI and its "corrected amendment."

⁶ Casual scrutiny of these arguments shows that HBI picked only the "good cause" criteria it thought were in its favor and ignored the others.

5. An applicant seeking to amend after designation must demonstrate due diligence, lack of voluntariness, that there will be no modification of issues or parties, that the amendment is not disruptive, does not prejudice other parties or confer a comparative advantage upon the amending party. Erwin O'Conner Broadcasting Co., 22 FCC 2d 140, 143 (Rev. Bd. 1970). In addition, for engineering amendments, Section 73.3522(b)(1) requires that the amendment be "necessitated by events which the applicant could not reasonably have foreseen (e.g., notification of a new foreign station or loss of transmitter site by condemnation)." HBI flunks several O'Conner criteria and does not even discuss foreseeability.

6. In the apposite Pueblo Radio Broadcasting Service case, the Commission affirmed the Review Board's rejection of an amendment on foreseeability grounds and dismissal of an application after designation due to predesignation technical infirmities involving the U.S./Mexican FM Agreement. Unlike HBI, the Pueblo applicant was dismissed without being given an automatic postdesignation opportunity to cure its defects. Like HBI, the Pueblo applicant tried to pin the blame on his consulting engineer.

7. The Commission summarily rejected that claim at 5 FCC Rcd 6279 para. 6, citing R.A.D. Broadcasting Corporation, 4 FCC Rcd 4772 (1989) (subsequent history omitted). The Commission further noted that the existence of the U.S./Mexican

Agreement was foreseeable. The same can be said of Section 73.316 and applicants' obligation to comply with all the technical rules.

8. Like HBI here, the Pueblo applicant also sought to blame the FCC processing staff for not catching its engineering deficiencies prior to designation. That argument was also rejected and should be here as well. HBI's previous engineering was so riddled with serious violations that the staff had no obligation to list them all in the HDO. It simply, and properly, required HBI to file a technically perfect amendment or be dismissed. Besides, any "staff's error does not excuse [HBI] from complying with the acceptability criteria." 5 FCC Rcd at 6279 para. 5.⁷

9. HBI does not pretend that its "corrected amendment" is necessitated by events it could not have reasonably foreseen. Nor could it do so; the admonitory language in the HDO, para. 1, supra, is extremely clear. Given the HDO's "do or die" mandate, it is remarkable that HBI's coterie of technical experts would not have flyspecked the

⁷ Pueblo is helpful precedent on another ground: HBI relies principally upon Magdalene Gunden Partnership, 2 FCC Rcd 5513 (Rev. Bd. 1987) (subsequent history omitted), for acceptance of its "corrected amendment." The Commission in Pueblo, at n. 3, persuasively distinguishes the circumstances establishing lack of foreseeability in Gunden. Gunden, concerning a reasonable dispute over coverage of a principal community far removed from the transmitter site, had nothing in common with Pueblo or this case, which involves an admitted violation of a Commission rule.

amendment from top to bottom in order to ensure compliance with all FCC rules.

10. Following two earlier, grossly defective engineering submissions, HBI was obligated on June 19 to file a technically perfect engineering application. The failure to do so is attributable to HBI and no one else. A fourth, "corrected amendment," is as unconscionable as it is unacceptable. Pueblo; see also Nagaubo Broadcasting Company, 6 FCC Rcd 912, 916-17 (Rev. Bd. 1991) (post-designation engineering amendment fails to cure technical deficiency clearly spelled out in HDO); see also Texas Communications Limited Partnership, 5 FCC Rcd 5876-5877 (Rev. Bd. 1990). Since HBI has not met the foreseeability requirement of Rule 73.3522(b)(1) and could not do so, its "corrected amendment" cannot be accepted.

11. The Petition also flunks other "good cause" criteria. HBI to the contrary, the "corrected amendment" was clearly required by its own voluntary act. HBI's June 1992 amendment was unacceptable. It voluntarily proffered the latest version to avoid the obvious consequences.


12. Furthermore, HBI has already disrupted the orderly conduct of the hearing. Nagaubo, at 6 FCC 2d 917 para. 21. The Presiding Judge's time has already been diverted from normal adjudicative tasks to deal with treatment of HBI's self-inflicted wound. That is disruption, pure and simple.

WHEREFORE, since it has not met the "good cause" requirements of Erwin O'Conner or of Section 73.3522(b)(1), HBI's Petition should be denied, the "corrected amendment" rejected and HBI's application dismissed.

Respectfully submitted,

DEAS COMMUNICATIONS, INC.

By:



Lawrence Bernstein
F. Joseph Brinig

Its Attorneys

BRINIG & BERNSTEIN
1818 N Street, NW
Suite 200
Washington, D.C. 20036

(202) 331-7050

Attachment

July 22, 1992

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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC

In re Application of)
Healdsburg Broadcasting, Inc.)
For A Construction Permit)
For A New FM Station on)
Channel 240A)
Healdsburg, California)

File No. BPH-910211MB

To: Chief, Mass Media Bureau

PETITION FOR LEAVE TO AMEND

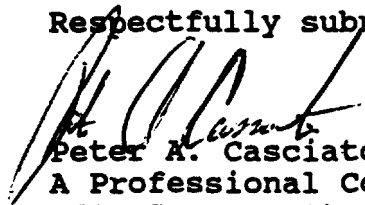
Healdsburg Broadcasting, Inc., applicant for a new FM radio station on channel 240A in Healdsburg, California, by its attorney, hereby petitions for leave to amend its application pursuant to Section 1.65 of the Commission's Rules.

The attached Amendment, reports a calculation error in the Section V-B engineering portion of the application by which applicant's engineer calculated the distance contours incorrectly using the Height of Radiation Center Above Average Terrain instead of the Height Above Mean Sea Level. Using the latter correct figure enlarges pertinent contours and requires modification of the applicant's directional antenna to limit radiation towards KKHI-FM to protect it for a short-spaced requirement of 8 kilometers in accordance with Sections 73.207 and 73.215 of the Commission's rules.

Applicant respectfully requests that it be granted leave to file the attached amendment to comply with Section 1.65 of the

Commission's rules.

Respectfully submitted,



Peter A. Casciato
A Professional Corporation
1500 Sansome Street Suite 201
San Francisco, CA 94111
(415) 291-8661


September 28, 1991

Counsel to
Healdsburg Broadcasting, Inc.

Healdsburg Broadcasting, Inc. Application
Amendment No. 2
Application No. BPH-910211MB
FM Radio Station on Channel 240A
Healdsburg, CA

Healdsburg Broadcasting, Inc. hereby amends its application to reflect the attached engineering information that identifies and corrects a calculation error in Section V-B of its application.

Date: September ²³, 1991



Michael Akana, President

STEPHEN C. PETERSEN, P.E.
CONSULTING ELECTRICAL ENGINEER
9829 ZAYANTE DRIVE
FELTON, CALIFORNIA 95018
PHONE OR FAX: 408-335-3115

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Engineering Statement

This statement identifies a calculation error reported in FCC Form 301, section V-B of the application of Healdsburg Broadcasting, Inc. ("HBI"), applicant for a new commercial FM facility on channel 240A, Healdsburg, CA. See BPH-910211MB filed February 11, 1991.

Due to a clerical error, the undersigned utilized the Height of Radiation Center Above Average Terrain 339 meters (See response to Question 7(b)(3) of HBI's original Section V-B date February 7, 1991) when calculating distance contours for HBI in its initial engineering statement. Instead, 509 meters, the Height Above Mean Sea Level (See response to Question 7(b)(2)), should have been utilized. As a result of this error, the incorrect 339 meter figure inaccurately depicted HBI's proposed antenna 170 meters lower than it actually is. In turn, this results in contour distances less than they would otherwise be if the correct number of 509 meters above mean sea level were used.

Both of these numbers, 339 and 509 meters (reported correctly by responses to question 7(b)(2) and 7(b)(3) in the original Form 301) are correct when used in their proper contexts. The unfortunate clerical error transposed their functions. The error was found during the process of certifying the beta version of a new computer program I recently developed

for streamlining the design, specification, contour calculations, etc. of FM and TV transmitting facilities. A particular feature of this program prevents this kind of error from occurring.

The attached engineering corrects pages 17 and 18 from section V-B, and provides corrected exhibits and maps for the continued use of a directional antenna, utilizing 509 meters Above Mean Sea Level. The actual antenna location and maximum ERP of 480 watts remain unchanged from the original engineering. Likewise, the antenna type, manufacture and location of HBI's transmitter site remain unchanged. The correction enlarges all pertinent contours and requires modification of the original directional antenna to limit radiation towards KKHI-FM to protect it for a short-spaced requirement of 8 kilometers in accordance with Sections 73.207 and 73.215 of the Commission's rules. The area within the 70 dBu contour increases from 1158 to 2000 Km², and the enclosed population from 84,399 to 90,301 persons (1980 census).

By Stephen C. Petersen
Stephen C. Petersen, P.E.
September 6, 1991

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.
5

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
6

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 3.16 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 2000 sq. km. Population 90,301

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
NA

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☒ Linearly Interpolated 30-second database ☐ 7.5 minute topographic map

(Source: NOAA)

☐ Other *(briefly summarize)*

6

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances	
		To the 3.16 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
"			
0	271	14.1	25.1
45	397	17.1	30.2
90	438	17.2	30.4
135	444	10.6	19.3
180	343	11.3	20.1
225	388	16.9	29.9
270	345	16.0	28.2
315	83	7.8	13.8

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.
NA

If No, explain briefly why not.

See Engineering Statement, Exhibit-1

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed)	Relationship to Applicant (e.g., Consulting Engineer)
Stephen C. Petersen	Consulting Engineer
Signature	Address (Include ZIP Code)
	9629 Zayante Drive Felton, CA 95018
Date	Telephone No. (Include Area Code)
September 6, 1991	(408) 335 - 3115

Healdsburg Broadcasting, Inc.
Proposed Channel 240A, Healdsburg, CA
FCC Form 301, Section V-B, question 10, Antenna Data

Proposed Directional Antenna
Horizontal Plane Relative Field Azimuth Pattern

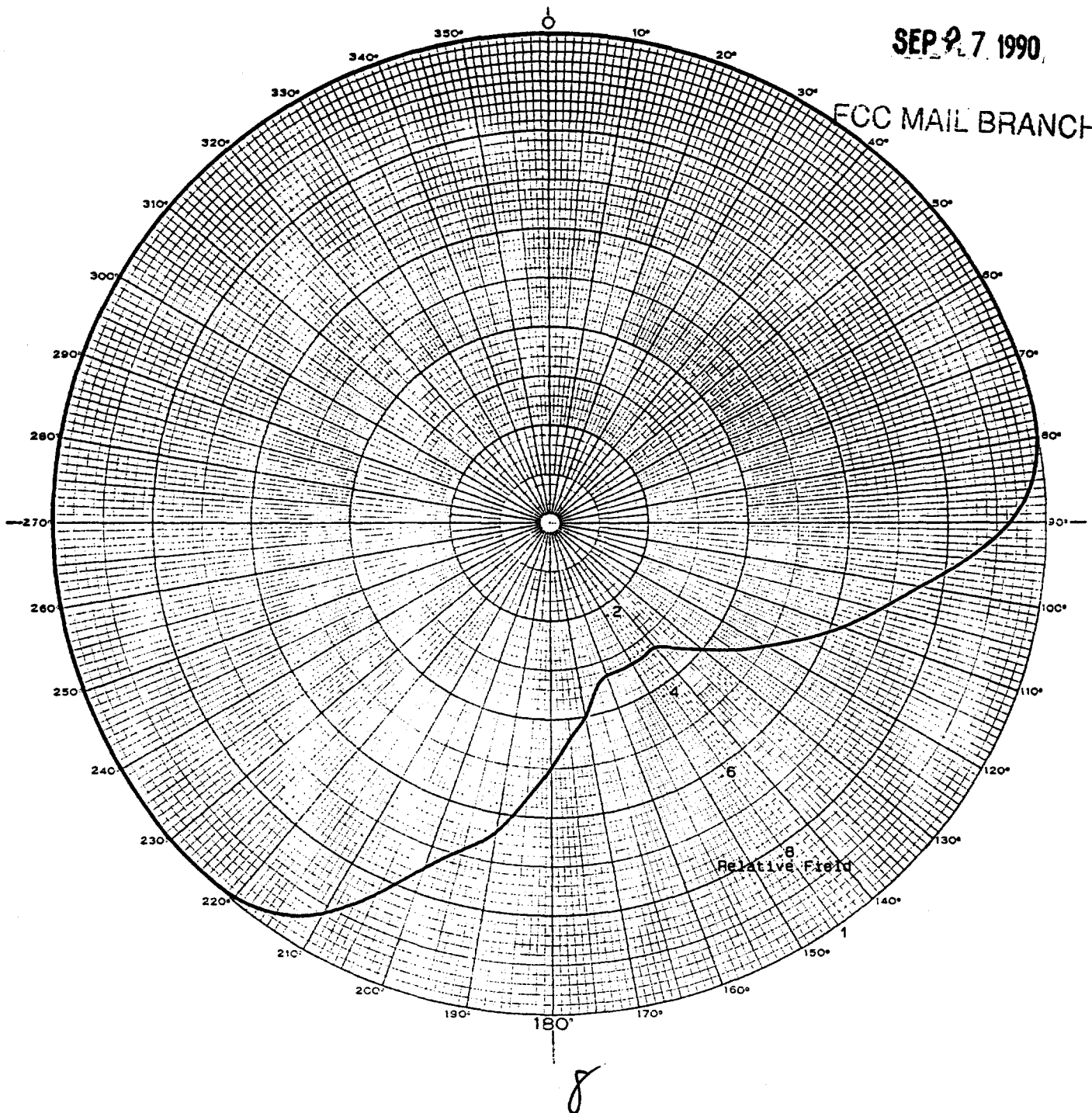
TYPE: Jampro JMPC, 2 Bay DA

POLARIZATION: Circular

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Healdsburg Broadcasting, Inc.
Proposed Channel 240A, Healdsburg, CA
FCC Form 340, Section V-B, question 10, Antenna Data

Horizontal Plane Relative Field Tabulation For Proposed Directional Antenna

Antenna Type: Jampro JMCP 2 Bay, DA

Beam Tilt = 0.0 degree

Polarization: Circular; maximum horizontal polarization tabulated

Azim	E-rel	dB-rel	Azim	E-rel	dB-rel	Azim	E-rel	dB-rel
0.0	1.000	0.000	5.0	1.000	0.000	10.0	1.000	0.000
15.0	1.000	0.000	20.0	1.000	0.000	25.0	1.000	0.000
30.0	1.000	0.000	35.0	1.000	0.000	40.0	1.000	0.000
45.0	1.000	0.000	50.0	1.000	0.000	55.0	1.000	0.000
60.0	1.000	0.000	65.0	1.000	0.000	70.0	1.000	0.000
75.0	1.000	0.000	80.0	1.000	0.000	85.0	0.970	-0.265
90.0	0.920	-0.724	95.0	0.840	-1.514	100.0	0.750	-2.499
105.0	0.680	-3.350	110.0	0.620	-4.152	115.0	0.560	-5.036
120.0	0.500	-6.021	125.0	0.450	-6.936	130.0	0.750	-7.959
135.0	0.360	-8.874	140.0	0.330	-9.630	145.0	0.330	-9.630
150.0	0.330	-9.630	155.0	0.330	-9.630	160.0	0.330	-9.630
165.0	0.350	-9.119	170.0	0.400	-7.959	175.0	0.440	-7.131
180.0	0.500	-6.021	185.0	0.565	-4.959	190.0	0.640	-3.876
195.0	0.690	-3.223	200.0	0.750	-2.499	205.0	0.830	-1.618
210.0	0.920	-0.724	215.0	0.970	-0.265	220.0	1.000	0.000
225.0	1.000	0.000	230.0	1.000	0.000	235.0	1.000	0.000
240.0	1.000	0.000	245.0	1.000	0.000	250.0	1.000	0.000
255.0	1.000	0.000	260.0	1.000	0.000	265.0	1.000	0.000
270.0	1.000	0.000	275.0	1.000	0.000	280.0	1.000	0.000
285.0	1.000	0.000	290.0	1.000	0.000	295.0	1.000	0.000
300.0	1.000	0.000	305.0	1.000	0.000	310.0	1.000	0.000
315.0	1.000	0.000	320.0	1.000	0.000	325.0	1.000	0.000
330.0	1.000	0.000	335.0	1.000	0.000	340.0	1.000	0.000
345.0	1.000	0.000	350.0	1.000	0.000	355.0	1.000	0.000

Notes:

1. Tabulation is based on Jampro Corp. supplied data with fields specified every 10.0 degrees, beginning with 0.0 degrees; 45, 135 also specified. Intermediate quantities are interpolated with a cubic spline to produce a smooth curve.

2. Maximum horizontal polarization specified; V-pol less than or equal to H-pol. Final data to be supplied with 302 filing following antenna range measurements.

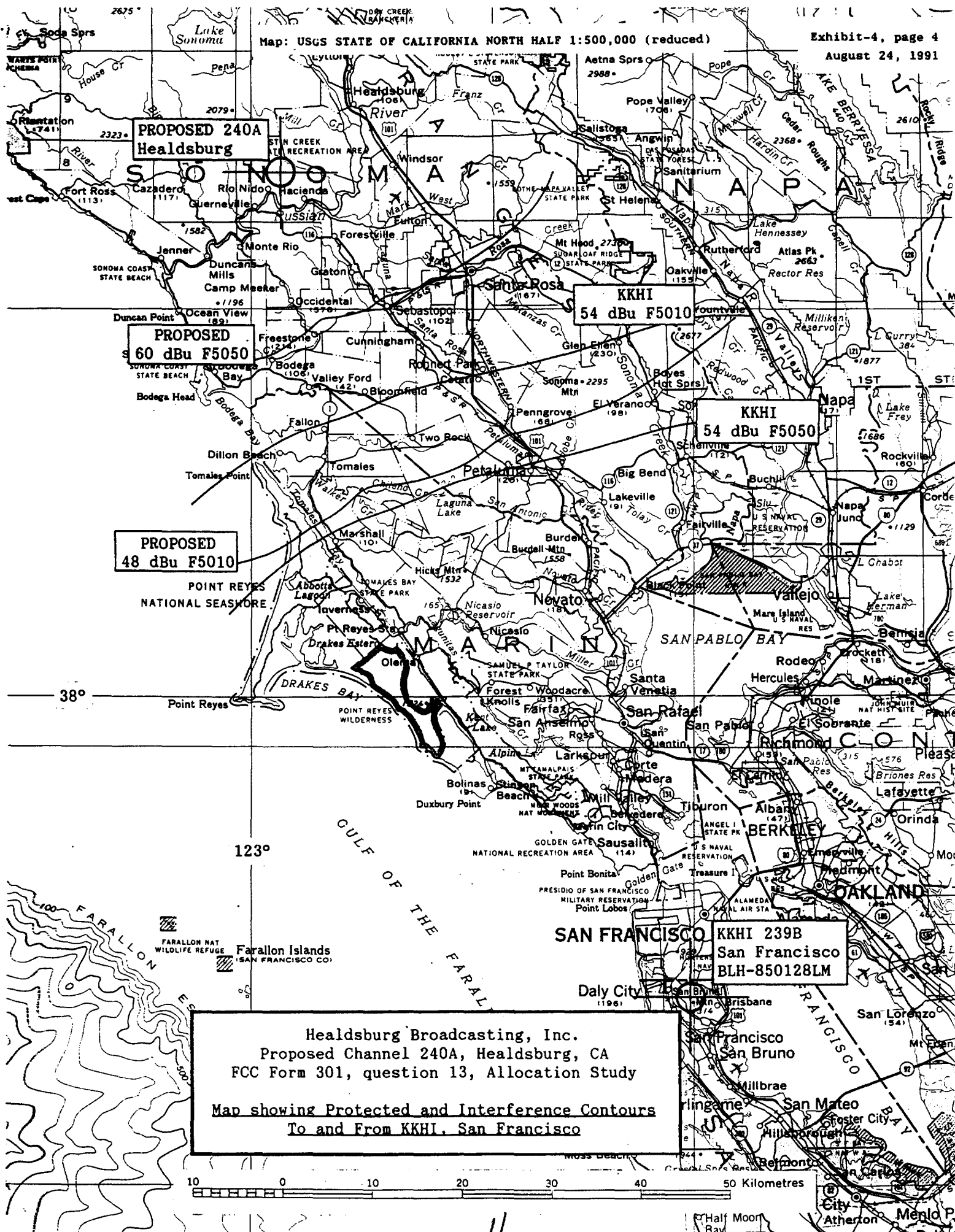
9

Healdsburg Broadcasting, Inc.
Proposed Channel 240A, Healdsburg, CA
FCC Form 301, Section V-B, question 13, Allocation Study

Calculated Distances to Proposed Service and Interference Contours
N 38-32-24, W 122-57-39

Azim (deg)	E-rel (V/V)	Radial ERP (W)	(dBk)	Radial		CONTOUR DISTANCES (Km)		
				AE(m)	Haat(m)	F[5050] 60dBu	F[5050] 70dBu	F[5010] 48dBu
0.0	1.000	480.0	-3.188	238	271	25.1	14.1	51.9
15.0	1.000	480.0	-3.188	162	347	28.3	16.0	58.2
30.0	1.000	480.0	-3.188	135	374	29.4	16.6	60.5
45.0	1.000	480.0	-3.188	112	397	30.2	17.1	62.3
60.0	1.000	480.0	-3.188	123	386	29.8	16.9	61.5
75.0	1.000	480.0	-3.188	91	418	30.9	17.6	63.4
90.0	0.920	406.3	-3.912	71	438	30.4	17.2	62.1
105.0	0.680	222.0	-6.573	67	442	26.3	14.8	55.1
120.0	0.500	120.0	-9.208	82	427	22.3	12.5	47.5
125.0	0.450	97.2	-10.123	74	435	21.4	11.9	45.4
130.0	0.400	76.8	-11.146	71	438	20.2	11.2	43.0
135.0	0.360	62.2	-12.062	65	444	19.3	10.6	41.0
140.0	0.330	52.3	-12.817	70	439	18.4	10.0	39.1
145.0	0.330	52.3	-12.817	76	433	18.3	10.0	38.9
150.0	0.330	52.3	-12.817	78	431	18.2	9.9	38.8
155.0	0.330	52.3	-12.817	95	414	17.9	9.8	38.3
160.0	0.330	52.3	-12.817	111	398	17.5	9.6	37.7
165.0	0.350	58.8	-12.306	143	366	17.4	9.6	37.1
170.0	0.400	76.8	-11.146	157	352	18.2	10.2	38.7
175.0	0.440	92.9	-10.319	160	349	19.1	10.7	40.4
180.0	0.500	120.0	-9.208	166	343	20.1	11.3	42.6
185.0	0.565	153.2	-8.147	177	332	21.1	11.8	44.3
190.0	0.640	196.6	-7.064	188	321	22.0	12.4	46.1
195.0	0.690	228.5	-6.411	164	345	23.6	13.3	49.7
200.0	0.750	270.0	-5.686	161	348	24.7	13.9	51.8
210.0	0.920	406.3	-3.912	137	372	28.1	15.9	58.4
225.0	1.000	480.0	-3.188	121	388	29.9	16.9	61.6
240.0	1.000	480.0	-3.188	201	308	26.6	15.1	54.9
255.0	1.000	480.0	-3.188	243	266	24.8	14.0	51.4
270.0	1.000	480.0	-3.188	164	345	28.2	16.0	58.0
285.0	1.000	480.0	-3.188	233	276	25.3	14.2	52.3
300.0	1.000	480.0	-3.188	287	222	22.8	12.8	47.4
315.0	1.000	480.0	-3.188	426	83	13.8	7.8	29.1
330.0	1.000	480.0	-3.188	324	185	21.0	11.7	43.2
345.0	1.000	480.0	-3.188	258	251	24.2	13.6	50.2

August 24, 1991



Healdsburg Broadcasting, Inc.
Proposed Channel 240A, Healdsburg, CA
FCC Form 301, question 16

Proposed Coverage Contours
N 38-32-24, W 122-57-39

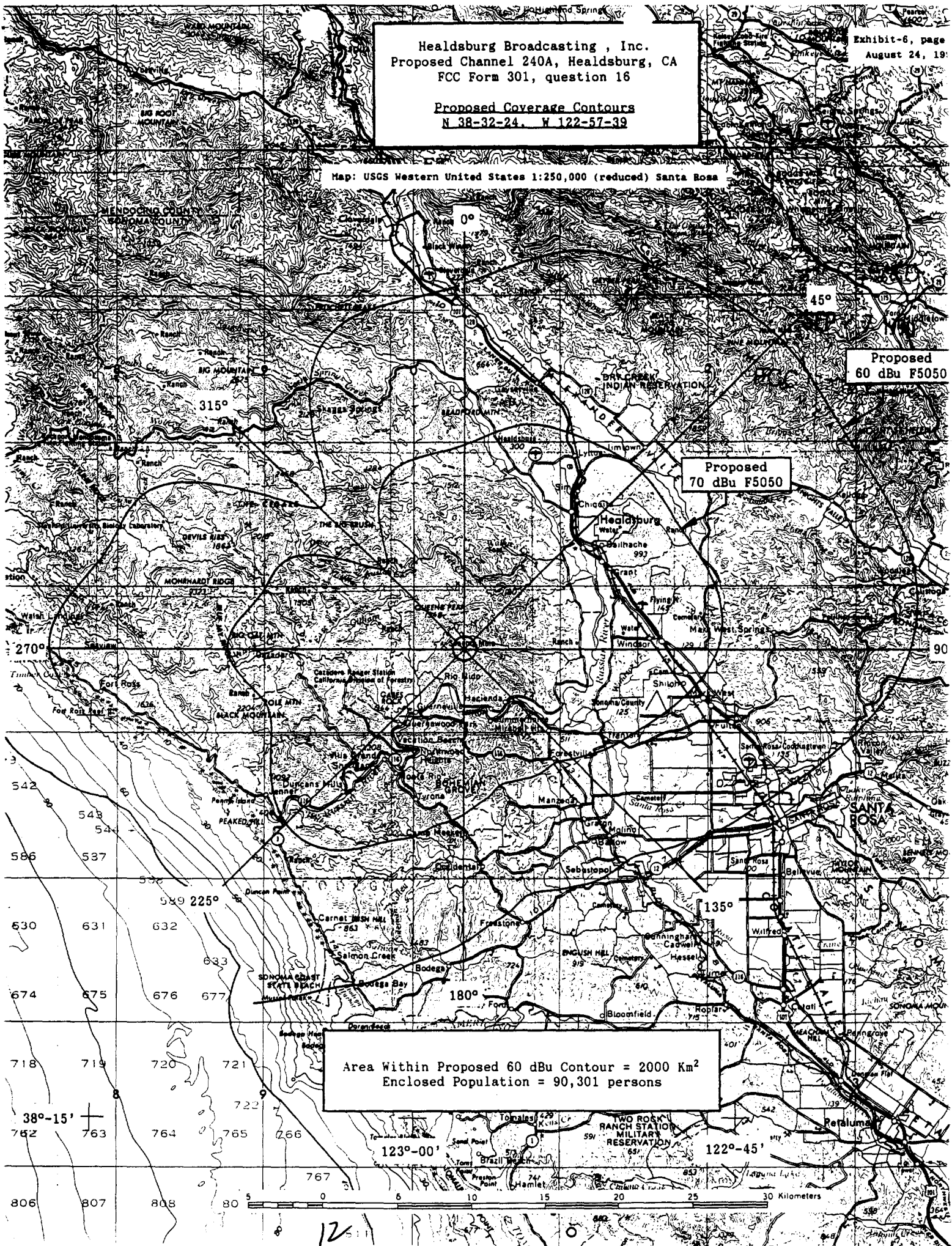
Exhibit-6, page
August 24, 19

Map: USGS Western United States 1:250,000 (reduced) Santa Rosa

Proposed
60 dBu F5050

Proposed
70 dBu F5050

Area Within Proposed 60 dBu Contour = 2000 Km²
Enclosed Population = 90,301 persons



The Healdsburg Tribune

The Times

P.O. Box 518, 706 Healdsburg Avenue
Healdsburg, CA 95448

Mr. Michael P. Akana
3471 Wyndale Dr.
Castro Valley, CA 94546

Date	Item	Amount
------	------	--------

Legal No. 10487

Application/FM Station

6.38 sq. in. @ \$5.00 - 3 times \$ 95.70

Published March 8, 15, 22, 1991

215

PETER A. CASCIATO
A PROFESSIONAL CORPORATION
CLIENT TRUST ACCOUNT
943 HOWARD ST. 415-946-1877
SAN FRANCISCO, CA 94103

7/15/91 11:00/1210

\$ 133.20

PAY TO THE ORDER OF - Healdsburg Tribune

One hundred thirty three and 20/100 DOLLARS



TOKAI BANK
OF CALIFORNIA
MEMBER FDIC

[Signature]

FOR DEPOSIT ONLY
- 82100802010215 007 501991 -

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Mr. Akana
3471 Wyndale Dr.
Castro Valley, CA 94546

Amount Due: \$ 95.70

In County Rates: \$ 40.00
In County Service: \$ 10.00
Out of County: \$ 45.70

To pay by check, please send the balance currently due,
plus the above charges, to the address above. Thank you.

CERTIFICATE OF SERVICE

I hereby certify that I have, this 22nd day of July, 1992, served copies of the foregoing "Opposition to 'Petition for Leave to File Corrected Amendment'" upon the following persons by first class United States Mail, postage prepaid:

Administrative Law Judge Edward J. Kuhlmann
Federal Communications Commission
2000 L Street, NW, Room 220
Washington, D.C. 20554

Larry Miller, Esquire
Hearing Branch
Mass Media Bureau
Federal Communications Commission
2025 M Street, NW, Room 7212
Washington, D.C. 20554

Jerome S. Silber, Esquire
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575 Madison Avenue
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Peter A. Casciato, Esquire
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Miriam Ervin